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ELAN MICROELECTRONICS CORPORATION

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

ELAN MICROELECTRONICS
CORPORATION,

Plaintiff,

v.

APPLE, INC.,

Defendant

Case No. 5:09-cv-01531-RS

**STIPULATION AND ~~[PROPOSED]~~ ORDER
MODIFYING TIME AND MANNER TO
MEET AND CONFER REGARDING
SETTLEMENT**

Date: February 11
Time: 9:30
Courtroom: Courtroom A, 15th Floor
Judge: Hon. James C. Spero

JURY TRIAL DEMANDED

AND RELATED COUNTERCLAIMS

WHEREAS, according to the Court's Order at docket 46, a settlement conference is scheduled to take place on February 11, 2010, and the parties are to meet and confer in person on or before January 21, 2010 to discuss settlement;

WHEREAS, the travel time necessary for representatives of Elan Microelectronics Corporation ("Elan") to travel from Taiwan to attend the meet and confer is considerable;

WHEREAS, despite diligent effort, the parties were unable to find a mutually agreeable day and time to meet on or before January 21, 2010;

WHEREAS, the parties have agreed to extend the date to meet and confer regarding settlement to January 28, 2010 if the Court so permits; and

WHEREAS, the parties have further agreed and mutually believe they can meet and confer effectively via videoconference;

NOW, THEREFORE, the parties hereby stipulate and ask the Court to order as follows:

1. The Order at docket 46 is modified to extend the deadline to meet and confer from January 21, 2010 to January 28, 2010;
2. The principals of the parties may meet and confer via videoconference;
3. No other aspect of the Court's Order at docket 46 is modified by this order.

Respectfully Submitted,

Dated: January 20, 2010

ALSTON + BIRD LLP

By: _____
Sean P. DeBruine

Attorneys for Plaintiff
ELAN MICROELECTRONICS CORPORATION

Dated: January 20, 2010

WEIL, GOTHSAI & MANGES LLP

By: _____
Sonal N. Mehta

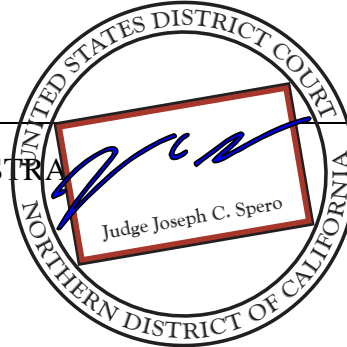
Attorneys for Defendant
APPLE, INC.

[PROPOSED] ORDER

PURSUANT TO STIPULATION IT IS SO ORDERED.

Dated: Jan. 22, 2010

Hon. Joseph C. Spero
UNITED STATES MAGISTRATE



FILER'S ATTESTATION

Pursuant to General Order No. 45, Section X (B) regarding signatures, I attest that concurrence in the filing of this document has been obtained from the signatory(ies) above.

Respectfully Submitted,

Dated: January 20, 2010

ALSTON + BIRD LLP

By: _____/s/_____
Sean P. DeBruine

Attorneys for Plaintiff
ELAN MICROELECTRONICS CORPORATION

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